

## **REMARKS**

This paper is submitted in response to the Office Action mailed October 1, 2004.

Claims 1- 35 are pending in this application. Claims 1-20 are allowed. Claims 21 and 32 have been amended. Paragraph [0002] of the Specification has been amended. Claims 1 (allowed), 20 (allowed), 21 and 32 are independent.

### **Claim Rejections – 35 U.S.C. Section 102(b)**

Claims 21, 26, 28 and 31 were rejected under U.S.C § 102 as being anticipated by U. S. Patent No. 3,613,241 to Allen. The present claims, as amended, are patentable over the cited art. The invention as presented in independent claim 21 pertains to a self-standing mobile device for cutting sheet material. Allen is not a self-standing mobile device and therefore does not anticipate applicant's invention. Moreover, applicant's invention includes, among other features, a shoulder positioned below the body member and having a shoulder width greater than the width of the body member. Since Allen fails to disclose every feature of the claimed invention, it cannot anticipate that invention. Accordingly, claim 21, and all claims depending therefrom) are allowable over the cited reference. Favorable reconsideration and withdrawal of this rejection is respectfully requested.

### **Claim Rejections – 35 U.S.C. Section 103(a)**

Claims 22, 24-25, 31-33, 35 were rejected under Section 103(a) as being unpatentable over Allen. The Examiner asserts that the exact shape of the handle would appear to be an obvious matter for an artisan absent a showing of criticality.

Applicant has amended claims 21 and 32 to more particularly define the invention which overcomes the rejection as follows. First, and for the reasons stated above in the rejection under Section 102, Allen does not teach all of the features of claim 21, and claim 22 depends therefrom and so incorporates by reference the features of claim 21 which patentably distinguishes over this reference. Moreover, Allen does not suggest the invention of claim 22 because Allen has no need for a structure like Applicant's invention, which is particularly suitable for use as a self-standing mobile device. The claimed method under claim 32 also includes the self-standing feature as well as having a shoulder width greater than the body member width. One of ordinary skill in the art, even when confronted with Allen would not find it obvious to provide a self-standing mobile device having a shoulder width greater than the body member width. For all the foregoing reasons, withdrawal of this rejection is earnestly solicited.

The Examiner indicated that claims 23, 27, 29 and 34 would be allowable if rewritten in independent form. In light of the foregoing amendments and arguments, however, applicant submits that those claims are allowable as currently presented. Accordingly, applicant respectfully requests withdrawal of the objection.

Applicant gratefully thanks the Examiner for indication of the allowance of claims 1-20.

### CONCLUSION

Applicant respectfully submits that all outstanding objections and rejections have been addressed and are now either overcome or moot. Applicant further submits that all claims pending in this application are patentable over the prior art made of record and not relied upon.

Applicant's undersigned attorney may be reached by telephone at (715) 835-5232 or by facsimile at (715) 835-9890. All correspondence should be directed to the below listed address.

Respectfully Submitted,

  
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Diana L. Peterson 12-27-04

December 27, 2004